

STATE OF NEW JERSEY  
Board of Public Utilities  
Two Gateway Center  
Newark, NJ 07102  
[www.bpu.state.nj.us](http://www.bpu.state.nj.us)

DIVISION OF RELIABILITY & SECURITY

IN THE MATTER OF ALLEGED	)	
VIOLATIONS OF THE	)	
UNDERGROUND FACILITY	)	<u>ORDER ACCEPTING SETTLEMENTS</u>
PROTECTION ACT,	)	
<u>N.J.S.A. 48:2-73 ET SEQ.</u>	)	DOCKET NOS. GS04080770K-
	)	GS04080861K
	)	
	)	(see attached Appendix)

BY THE BOARD:

The Board of Public Utilities ("Board") has jurisdiction to oversee and enforce the provisions of the Underground Facility Protection Act ("the Act") pursuant to the provisions set forth in N.J.S.A. 48:2-73 et seq. The primary purpose of the Act is to establish the One-Call Damage Prevention System for the protection of underground facilities that are used for the conveyance of water, forced sewage, telecommunications, cable television, electricity, oil, petroleum products, gas, optical signals, traffic control, or for the transportation of a hazardous liquid. In declaring its findings and the purpose of the Act, the Legislature stated, in pertinent part:

[T]hat damage to underground facilities caused by excavation and the discharge of explosives poses a significant risk to the public safety; that such damage to underground natural gas facilities poses a substantial risk to the public safety; and that the implementation of a comprehensive One-Call Damage Prevention System can substantially reduce the frequency of damage caused by these activities.

The Legislature therefore determines that it is in the public interest for the State to require all operators of underground facilities to participate in a One-Call Damage Prevention System and to require all excavators to notify the One-Call Damage Prevention System prior to excavation or demolition. N.J.S.A. 48:2-74.

The Act defines "excavator" as "any person performing excavation or demolition," while the term "operator" is defined as "a person owning or operating, or controlling the operation of, an underground facility . . ." N.J.S.A. 48:2-75. The One-Call Damage Prevention System ("the System") coordinates communication and responsive action between these two groups of persons. N.J.S.A. 48:2 -80, -82.

The Act subjects violators of its provisions to civil penalties of not less than \$1,000 and not more than \$2,500 per violation per day. N.J.S.A. 48:2-88. In addition, the violator may be assessed the cost of any Board investigation, inspection or monitoring survey which leads to the establishment of a violation and for the reasonable costs of preparing and litigating the matter. N.J.S.A. 48:2-86(b)(2).

Following reports of failure to call the System prior to commencing excavation or demolition activities, failure to hand dig and locate facilities, failure to use reasonable care, or reports of failure to mark out underground facilities or properly mark them, Board staff contacted the entities listed on the Appendix and informed them of the date and location of the alleged violations, also listed on the Appendix.


In an attempt to resolve these matters, each excavator or operator has submitted an Offer of Settlement to the Board for its consideration, the dollar amount of each being given on the Appendix. After consideration of these matters, the Board HEREBY ACCEPTS these offers of settlement in full settlement of the above referenced alleged violations of the Act.


By acceptance of the various Offers of Settlement and the timely payment thereof, the Excavator or Operator has waived any rights to a hearing and the Board has waived any rights to bring an action for civil penalties as permitted by the Underground Facility Protection Act in connection with the above referenced alleged violations of the Act. It must also be noted that the acceptance of the Offers of Settlement are for settlement purposes only and apply strictly to the specific incidents set out in the Appendix. This acceptance is without prejudice as to the position of the State of New Jersey or any agency or subdivision thereof if other violations are present, now or in the future.

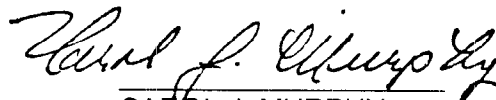
**NO FURTHER ACTION BY THE RESPONDENTS IS REQUIRED**

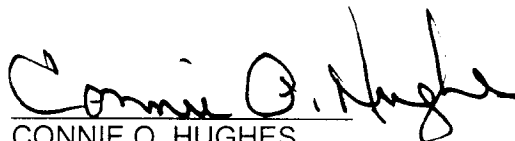
DATED: 9/23/04

BOARD OF PUBLIC UTILITIES  
BY:

  
JEANNE M. FOX  
PRESIDENT

  
FREDERICK F. BUTLER  
COMMISSIONER

  
CAROL J. MURPHY  
COMMISSIONER

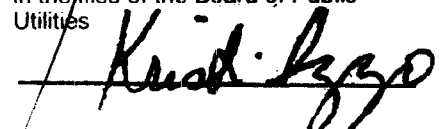
  
CONNIE O. HUGHES  
COMMISSIONER

  
JACK ALTER  
COMMISSIONER

ATTEST:

  
KRISTI IZZO  
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities



Service List

John Sarappa Landscape Cons. Inc.  
PO Box 343, 4 N. 2<sup>nd</sup>. Street  
Waterford, NJ 08089

South Jersey Gas Company  
Sam Pignatelli  
One South Jersey Plaza – Rt. 54  
Folsom, NJ 08037

NJ Natural Gas Company  
Kevin Moss  
1415 Wyckoff Road  
PO Box 1464  
Wall, NJ 07719

F. Kiely Construction  
100 McClellan Street  
Long Branch, NJ 07740

Aldol Landscaping  
1 Pollack Road  
Wanamassa, NJ 07712

Tomaro Contracting Co.  
195 Green Pond Road  
Rockaway Twp., NJ 07866

Maszen Brothers Sanitation  
PO Box 306  
Monmouth, NJ 08240

Public Service Electric & Gas Company  
Willard Carey  
80 Park Plaza Mail Code T14  
Newark, NJ 07102

Giambattista Construction  
10 Ora Ct.  
East Hanover, NJ 07936

Elizabethtown Gas Company  
Mary Patricia Keefe  
One Elizabethtown Plaza  
PO Box 3175  
Union, NJ 07083-1975

Mt. Hope Rock Products  
625 Mount Hope Road  
Wharton, NJ 07885

J.C. Electrical Company  
395 Meadow View Drive  
Jackson, NJ 08527

Chiavone Construction  
500 Patterson Plank Road  
Egg Harbor, NJ 07096

Jentec Contracting Co.  
PO Box 215-223 Mountain Avenue  
Middlesex, NJ 08846

Jersey Boring & Drilling  
150-152 Wright Street  
Newark, NJ 07100

A.F. /John Fusco  
3 Forest Way  
Egg Harbor, NJ 07021

Recchia Contracting  
20 Carrell Road  
Randolph Twp., NJ 07869

Horvath Excavating Co.  
PO Box 46  
Milford, NJ 08848

Anselmi & De Cicco, Inc.  
1077 Springfield Avenue  
Maplewood, NJ 07040

Flemington Borough Water Department  
38 Park Avenue  
Flemington, NJ 08822

Active Environmental Technologies  
40 High Street  
Mount Holly, NJ 08060

Lucas Brothers Inc.  
173 Amboy Road  
Lanahanville, NJ 07751

East Coast Engineering  
508 Main Street  
Toms River, NJ 08753

Custom Stone & Landscaping Design  
PO Box 1029  
Manahawkin, NJ 08050

T. Mechanical Corp.  
Attention: Dennis Redshaw  
Beatty Street  
Trenton, NJ 07801

Caruso Excavating/Doug Degirolemo  
PO Box 2043  
Ocean, NJ 07712

Landscape Maintenance Services  
306 Wall Street  
Princeton, NJ 08540

J. Scott Excavating  
107 Dey Grove Road  
Monroe, NJ 08831

Steve's Electric Inc.  
275 Parkertown Drive  
Little Egg Harbor, NJ 08087

Jayeff General Contractors  
35 Colby Avenue  
Manasquan, NJ 08736

ick Denavane  
48 Twin Lakes Road  
ittle Egg Harbor, NJ 08087

B. Anthony Construction Corp.  
3170 Bordentown Avenue  
Old Bridge, NJ 08857

Howard Klien Contracting  
25 Craig Place  
North Plainfield, NJ 07060

omplete Lawn & Landscape  
150 Rt. 9 South  
owell, NJ 07731

Tewksbury Township  
169 Old Turnpike Road  
Tewksbury, NJ 07830

Nicholas Tarquinio Construction  
529 Butler Avenue  
Point Pleasant, NJ 08742

George Underhill  
57 Route 46  
envil, NJ 07847

Barth Electric Contractors  
125 County Hwy. Rt. 537 East  
Colts Neck, NJ 07722

J. Fletcher Creamer & Son, Inc.  
101 East Broadway  
Hackensack, NJ 07601

risti Izzo, Board Secretary  
mes Giuliano, Director  
ouglas Ziemba, Chief  
achel Boylan, Legal Specialist  
Gateway Center  
ewark, NJ 07102

Department of Law & Public Safety, DOL  
Ken Sheehan  
24 Halsey Street, 5<sup>th</sup> Floor  
PO Box 45029  
Newark, NJ 07101

Appendix – Page 1

One Call		Operator	Excavator	Date	Location	Penalty	Payment		Type of Violation
BPU Docket No.	Docket No.						Received		
GS04080770K	GOC97-0028	South Jersey Gas	*John Sarappa Landscape Cons. Inc.	1/15/97	307 Beebetown Rd. Winslow	\$2,000	4/2/98		No Call
GS04080771K	GOC97-0342	*NJ Natural Gas	Kiely Construction	3/6/97	40 1 <sup>st</sup> Ave, Manasquan	\$5,000	2/15/00		Did Not Complete Markout within 3 days
GS04080772K	GOC97-0639	*NJ Natural Gas	Aldol Land-scaping	3/28/97	426 Jefferson Ave., Avon	\$5,000	2/15/00		No Mark
GS04080773K	GOC97-0798	*NJ Natural Gas	Tomaro Construction	6/30/97	80 Fern Avenue, Wharton	\$5,000	2/15/00		Did Not Complete Markout within 3 days
GS04080774K	GOC97-0840	South Jersey Gas	*Waszen Brothers Sanitation	4/22/97	300 W. Tamara Drive, Absecon	1,000	3/23/98		Failure to maintain & Preserve Markout
GS04080775K	GOC97-1078	*NJ Natural Gas		7/11/97	7408 Long Beach Blvd., Harvey Cedars	\$2,000	1/17/00		Did Not Properly Mark out
GS04080776K	GOC97-1088	*NJ Natural Gas		7/18/97	Rt. 528 7 Brentwood Dr. Jackson	\$2,000	1/18/00		Did Not Properly Mark out
GS04080777K	GOC97-1098	*NJ Natural Gas		7/22/97	Long Point & Churchill Dr., Toms River	\$1,000	3/7/00		Did Not Properly Mark out
GS04080778K	GOC97-1118	*NJ Natural Gas		8/1/97	9 Chestnut Dr., Matawan	\$5,000	2/15/00		Did Not Properly Mark out
GS04080779K	GOC97-1187	*NJ Natural Gas		9/19/97	85 Maple Dr., Colts Neck	\$5,000	2/15/00		Did Not Properly Mark out
GS04080780K	GOC97-1540	*Public Service Electric & Gas		9/3/97	100 Whittingham Dr., Monroe	\$1,000	8/23/99		Did Not Properly Mark out

\* Alleged Violator

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One Call		Operator		Excavator		Date		Location		Penalty		Payment Received		Type of Violation	
BPU Docket No.	Docket No.														
GS04080781K	GOC97-1608	*Public Service Electric & Gas				7/17/97		12 Rt. 27, Franklin		\$1,000		7/15/99		Did Not Properly Mark out	
GS04080782K	GOC97-1786	*NJ Natural Gas				11/19/97		75 Rt. 35 Middletown		\$1,000		3/29/00		Did Not Properly Mark out	
GS04080783K	GOC97-2028	*Public Service Electric & Gas				12/2/97		14 Seminary Dr., Mahwah		\$1,000		7/21/99		Did Not Properly Mark out	
GS04080784K	GOC97-2121	*Public Service Electric & Gas				11/26/97		177 Beekman Rd., South Brunswick		\$1,000		7/21/99		Did Not Properly Mark out	
GS04080785K	GOC97-2126	*Public Service Electric & Gas				12/8/97		1270 Englishtown Rd., Old Bridge		\$1,000		8/23/99		Did Not Properly Mark out	
GS04080786K	GOC97-0663	*NJ Natural Gas				4/15/97		1911 6 <sup>th</sup> Avenue Neptune		\$1,000		10/22/99		Did Not Properly Mark out	
GS04080787K	GOC97-0694	*NJ Natural Gas				5/5/97		Lakewood Rd, Wall Township		\$1,000		10/22/99		Did Not Properly Mark out	
GS04080788K	GOC97-0713	*NJ Natural Gas				5/14/97		17 <sup>th</sup> Ave., & F. St., South Belmar		\$1,000		10/22/99		Did Not Properly Mark out	
GS04080789K	GOC97-0714	*NJ Natural Gas				5/14/97		Main St., 17 <sup>th</sup> Ave., South Belmar		\$1,000		10/22/99		Did Not Properly Mark out	
GS04080790K	GOC97-0730	*NJ Natural Gas				5/21/97		34 Wall St., W. Long Branch		\$1,000		10/22/99		Did Not Properly Mark out	
GS04080791K	GOC97-0732	*NJ Natural Gas				5/21/97		1401 3 <sup>rd</sup> Ave., Asbury Park		\$1,000		10/22/99		Did Not Properly Mark out	

\* Alleged Violator

One Call		Operator	Excavator	Date	Location	Penalty	Payment		Type of Violation
BPU Docket No.	Docket No.						Received		
GS04080792K	GOC97-0779	*NJ Natural Gas		6/18/97	22 East Delaware Ave., Beach Haven Terrace	\$1,000	10/22/99		Did Not Properly Mark out
GS04080793K	GOC97-1051	*NJ Natural Gas		4/8/97	1505 Forecastle Dr. Manahawkin	\$1,000	10/22/99		Did Not Properly Mark out
GS04080794K	GOC97-1057	*NJ Natural Gas		6/25/97	283 17 <sup>th</sup> Ave., Brick	\$1,000	10/22/99		Did Not Properly Mark out
GS04080795K	GOC97-1058	*NJ Natural Gas		7/1/97	Rt. 37 East Toms River	\$1,000	10/22/99		Did Not Properly Mark out
GS04080796K	GOC97-1076	*NJ Natural Gas		7/11/97	124 Parmley St., Rumson	\$1,000	10/22/99		Did Not Properly Mark out
GS04080797K	GOC97-1079	*NJ Natural Gas		7/14/97	101 Boundry Rd., Colts Neck	\$1,000	10/22/99		Did Not Properly Mark out
GS04080798K	GOC97-1081	*NJ Natural Gas		7/15/97	217 Dewitt Ave., Asbury Park	\$1,000	10/22/99		Did Not Properly Mark out
GS04080799K	GOC97-1087	*NJ Natural Gas		7/17/97	431 Patterson Ave., Middletown	\$1,000	10/22/99		Did Not Properly Mark out
GS04080800K	GOC97-1125	*NJ Natural Gas		8/9/97	710 Auth Ave., Oakhurst	\$1,000	10/22/99		Did Not Properly Mark out
GS04080801K	GOC97-1127	*NJ Natural Gas		8/11/97	1412 Lake Ave., Asbury Park	\$1,000	10/22/99		Did Not Properly Mark out
GS04080802K	GOC97-1176	*NJ Natural Gas		9/10/97	29 Judith Rd., Little Silver	\$1,000	10/22/99		Did Not Properly Mark out
GS04080803K	GOC97-1196	*NJ Natural Gas		9/25/97	204 Madison Ave., Spring Lake	\$1,000	10/22/99		Did Not Properly Mark out
GS04080804K	GOC97-1206	*NJ Natural Gas		9/29/97	11 W. 29 <sup>th</sup> St., Beach Haven Gardens	\$1,000	10/22/99		Did Not Properly Mark out

\* Alleged Violator

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One Call		Operator	Excavator	Date	Location	Penalty	Payment		Type of Violation
BPU Docket No.	Docket No.						Received		
GS04080805K	GOC97-1699	*NJ Natural Gas		10/2/97	102 Sussex Ave., Spring Lake	\$1,000	10/22/99		Did Not Properly Mark out
GS04080806K	GOC97-1721	*NJ Natural Gas		10/9/97	70 Ward Ave., Rumson	\$1,000	10/22/99		Did Not Properly Mark out
GS04080807K	GOC97-1740	*NJ Natural Gas		10/20/97	21 Crenshaw, Flanders	\$1,000	10/22/99		Did Not Properly Mark out
GS04080808K	GOC97-1778	*NJ Natural Gas		11/13/97	Albermarle Rd., Marlboro	\$1,000	10/22/99		Did Not Properly Mark out
GS04080809K	GOC97-1790	*NJ Natural Gas		11/21/97	205 Central Ave., Bradley Beach	\$1,000	10/22/99		Did Not Properly Mark out
GS04080810K	GOC97-1794	*NJ Natural Gas		11/24/97	50-51 West Raritan Dr., Mystic Islands	\$1,000	10/22/99		Did Not Properly Mark out
GS04080811K	GOC97-1805	*NJ Natural Gas		12/2/97	209-3 <sup>rd</sup> Ave., Bradley Beach	\$1,000	10/22/99		Did Not Properly Mark out
GS04080812K	GOC99-0339	*NJ Natural Gas		6/21/99	54 Broad St./Front St., Red Bank	\$2,000	10/22/99		Did Not Properly Mark out
GS04080813K	GOC99-0001	*Public Service Electric & Gas		1/29/99	New Hook Rd., Hwy. 169 Bayonne	\$1,000	4/9/99		Did Not Properly Mark out
GS04080814K	GOC99-0003	*NJ Natural Gas		2/19/99	Heck Ave. & Rt. 35, Neptune	\$2,000	5/3/99		Did Not Properly Mark out
GS04080815K	GOC99-0005	*Public Service Electric & Gas		3/31/99	Ferry St. Camden	\$1,000	5/7/99		Did Not Properly Mark out
GS04080816K	GOC99-0006	Public Service Electric & Gas	*Giambattista Construction	4/28/99	50 Beachmont Terrace North Caldwell	\$1,000	5/27/99		No Call
GS04080817K	GOC99-0397	*Elizabethown Gas		7/23/99	136 Westfield Ave., Elizabeth	\$1,000	10/16/99		Did Not Properly Mark out

\*Alleged Violator

One Call								Payment		Type of	
BPU Docket No.	Docket No.	Operator	Excavator	Date	Location	Penalty	Received	Violation			
GS04080818K	GOC99-0398	Public Service Electric & Gas	*Mt. Hope Rock Products	7/28/99	600 Wilson Ave., Wharton	\$1,000	10/24/99	Excavation Continued After 30 Business Days w/o New Notification			
GS04080819K	GOC99-0439	Public Service Electric & Gas	*J.C. Electrical Company	8/10/99	1629 Perrineville Rd., Monroe	\$1,000	9/1/99	No Call			
GS04080820K	GOC99-0440	*Public Service Electric & Gas		8/20/99	827 Franklin Ave. Franklin Lakes	\$2,000	9/15/99	Did Not Properly Mark out			
GS04080821K	GOC99-0804	*Public Service Electric & Gas		10/4/99	Churchman & Callahan, Newark	\$1,000	11/1/99	Did Not Properly Mark out			
GS04080822K	GOC99-0818	NJ Natural Gas	*Schiavone Construction	10/5/99	Rt. 35, S. Red Bank	\$1,000	10/21/99	Failure to Hand Dig & Locate			
GS04080823K	GOC99-0819	*Public Service Electric & Gas		10/27/99	Mcwhorter & Hamilton, Newark	\$1,000	11/23/99	Did Not Properly Mark out			
GS04080824K	GOC99-0889	Public Service Electric & Gas	*Jentec Contracting	12/21/99	565 Rt. 28, Bridgewater	\$1,000	2/8/00	No Call			
GS04080825K	GOC00-0003	*Public Service Electric & Gas		2/2/00	1600 Rt. 130 North Brunswick	\$2,000	4/10/00	Did Not Properly Mark out			
GS04080826K	GOC00-0006	Public Service Electric & Gas	*Jersey Boring & Drilling	3/7/00	8 <sup>th</sup> Ave., & Spring St. Newark	\$5,000	4/22/00	No Call			
GS04080827K	GOC00-0007	Public Service Electric & Gas	*J.A.F./John Fusco	2/9/00	Foundary Ave., & Raymond Blvd. Newark	\$1,000	11/15/00	No Call			
GS04080828K	GOC00-0005	*South Jersey Gas		2/24/00	Pelham Ave., North of Atlantic Ave. Longport	\$2,000	4/13/00	Did Not Properly Mark out			

\*Alleged Violator

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One Call		Operator		Date	Location	Penalty	Payment		Type of Violation
BPU Docket No.	Docket No.		Excavator				Received		
GS04080829K	GOC00-0009	NJ Natural Gas	*Rechia Contracting	3/16/00	137 East Central Ave., Whartonq	\$2,000	4/19/00		No Call
GS04080830K	GOC00-0010	*Elizabethtown Gas		3/30/00	Smith St./Conery Blvd. Woodbridge	\$4,000	5/3/00		Did Not Properly Mark out
GS04080831K	GOC00-0011	Elizabethtown Gas	*Horvath Excavating	4/6/00	500 Point Breeze Rd., Kingswood	\$2,500	5/19/00		No Call
GS04080832K	GOC00-0012	Public Service Electric & Gas	*Anselmi & De Cicco, Inc.	4/15/00	Terminal C/Newark Airport, Newark	\$25,000	5/19/00		No Call
GS04080833K	GOC00-0013	Elizabethtown Gas	*Flemington Borough Water Dept.	5/4/00	105 Mine St./Dewey, Flemington	\$1,000	6/29/00		Failure to Hand Dig & Located
GS04080834K	GOC00-0035	Public Service Electric & Gas	*Mt. Hope Rock Products	7/28/00	Brewster Rd. Newark	\$2,000	1/10/01		No Call
GS04080835K	GOC00-0053	*Public Service Electric & Gas		10/11/00	324 Delawanna Ave., Clifton	\$1,000	11/28/00		Did Not Properly Mark Out
GS04080836K	GOC00-0055	Public Service Electric & Gas	*Active Environmental Technologies	10/24/00	561 Penigno Blvd., Bellmawr	\$2,000	11/17/00		Did Not Properly Mark Out
GS04080837K	GOC00-0056	Public Service Electric & Gas	*Lucas Brothers Inc.	10/20/00	122 Jamesburg half Acre Rd., Monroe	\$1,000	12/12/00		No Call
GS04080838K	GOC00-0050	*Public Service Electric & Gas		9/21/00	1540 New Durham Rd., South Plainfield	\$2,500	3/23/01		Did Not Properly Mark Out
GS04080839K	GOC96-0615	*NJ Natural Gas		5/2/96	81 Morris Ave., Mountain Lakes	\$1,000	6/11/98		Did Not Properly Mark Out
GS04080840K	GOC96-0636	*NJ Natural Gas		5/14/96	820 Rt. 520, Lincroft	\$1,000	6/11/98		Did Not Properly Mark Out

\* Alleged Violator

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One Call BPU Docket No.		Docket No.	Operator	Excavator	Date	Location	Penalty	Payment Received	Type of Violation
GS04080841K		GOC00-0063	NJ Natural Gas	*East Coast Engineering	11/4/00	208 Veronica Ct. Lanoka Harbor	\$1,000	12/7/00	No Call
GS04080842K		GOC00-0065	NJ Natural Gas	*Custom Stone & Landscaping Design	11/14/00	224 Nautilus Dr., Manahawkin	\$1,000	4/6/01	No Call
GS04080843K		GOC00-0067		*J.T. Mathew Mechanical Corp.	11/21/00	350 Morris Ave., Denville	\$1,000	1/12/01	No Call
GS04080844K		GOC00-0068	Public Service Electric & Gas	*Caruso Excavating	11/28/00	Cedar Brook Dr. 500 W. of Clark Dr. Cranbury	\$1,000	12/21/00	Excavated Outside of Scope
GS04080845K		GOC00-0069	*Public Service Electric & Gas		12/1/00	431 Mallard Ln. Moorestown	\$1,000	1/29/01	Did Not Properly Mark Out
GS04080846K		GOC00-0070	NJ Natural Gas	*Landscape Maintenance Services	12/7/00	707 Blue Bell Dr. Jackson	\$1,000	1/19/01	No Call
GS04080847K		GOC00-0178	NJ Natural Gas	*R. Scott Excavating	4/6/00	155 Conover Rd., Wickatunk	\$2,000	6/7/01	No Call
GS04080848K		GOC01-0002	NJ Natural Gas	*Steve's Electric Inc.	1/11/01	13515 32 <sup>nd</sup> St. & L.B. Blvd, Beach Haven	\$1,000	3/2/01	No Call
GS04080849K		GOC01-0033	NJ Natural Gas	*Jayeff General Contractors	5/3/01	2310 Rt. 34, Wall	\$1,000	5/31/00	No Call
GS04080850K		GOC01-0004	NJ Natural Gas	*Jack Dellavalle	1/19/01	1090 Long Beach Blvd. Beach Haven	\$1,000	2/27/01	No Call
GS04080851K		GOC01-0007	NJ Natural Gas	*B. Anthony Construction Corp.	2/12/01	Brielle Hills & Rt. 70, Wall Twp.	\$1,000	4/3/01	Early Excavation Less than 3 business Days

\* Alleged Violator

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One Call

BPU Docket No.	Docket No.	Operator	Excavator	Date	Location	Penalty	Payment Received	Type of Violation
GS04080852K	GOC01-0009	Public Service Electric & Gas	*Howard Klien Contracting	2/15/01	Clinton Ave., Allen Young Apts., Plainfield	\$1,000	3/21/01	Early Excavation Less than 3 Business Days
GS04080853K	GOC01-0010	NJ Natural Gas	*Complete Lawn & Landscape	2/14/01	5 Halsey Ave., Bayville	\$1,000	5/17/01	No Call
GS04080854K	GOC01-0011	Public Service Electric & Gas	*Tewksbury Township	10/30/00	165 Old Turnpike Rd., Tewksbury	\$1,000	3/16/01	No Call
GS04080855K	GOC01-0012	NJ Natural Gas	*Nicholas Tarquinio Construction	2/28/01	68 Cox Cro Rd., Toms River	\$1,000	3/20/01	No Call
GS04080856K	GOC-0013	*Elizabethown Gas		2/27/01	77 Rt. 1, Woodbridge	\$3,000	4/5/01	Did Not Properly Mark Out
GS04080857K	GOC01-0014	NJ Natural Gas	*George Underhill	3/12/01	Smith Rd., & Jefferson Rd., Parsippany	\$2,000	4/6/01	No Call
GS04080858K	GOC01-0015	NJ Natural Gas	*Barth Electric Contractors	3/12/01	314 Woodland Ave., Brielle	\$1,000	3/27/01	No Call
GS04080859K	GOC01-0016	*Public Service Electric & Gas		3/3/01	Rt. 9 N. & Michael Maleta Way, Old Bridge	\$2,500	4/24/01	Did Not Properly Mark Out
GS04080860K	GOC01-0051	*Public Service Electric & Gas		9/29/00	537 New Durham Rd., South Plainfield	\$2,500	3/28/01	Did Not Properly Mark Out
GS04080861K	GOC01-0057	Public Service Electric & Gas	*J. Fletcher Creamer & Son, Inc.	10/6/00	Rt. 4, Paramus	\$2,000	11/20/00	No Call

\* Alleged Violator

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One Call											
BPU Docket No.	Docket No.	Operator	Excavator	Date	Location	Penalty	Payment Received	Type of Violation			
GS04080770K	GOC97-0028	South Jersey Gas	*John Sarappa Landscape Cons. Inc.	1/15/97	307 Beebetown Rd. Winslow	\$2,000	4/2/98	No Call			
GS04080771K	GOC97-0342	*NJ Natural Gas	Kiely Construction	3/6/97	40 1 <sup>st</sup> Ave, Manasquan	\$5,000	2/15/00	Did Not Complete Markout within 3 days			
GS04080772K	GOC97-0639	*NJ Natural Gas	Aldol Land-scaping	3/28/97	426 Jefferson Ave., Avon	\$5,000	2/15/00	No Mark			
GS04080773K	GOC97-0798	*NJ Natural Gas	Tomaro Construction	6/30/97	80 Fern Avenue, Wharton	\$5,000	2/15/00	Did Not Complete Markout within 3 days			
GS04080774K	GOC97-0840	South Jersey Gas	*Waszen Brothers Sanitation	4/22/97	300 W. Tamara Drive, Absecon	1,000	3/23/98	Failure to maintain & Preserve Markout			
GS04080775K	GOC97-1078	*NJ Natural Gas		7/11/97	7408 Long Beach Blvd., Harvey Cedars	\$2,000	1/17/00	Did Not Properly Mark out			
GS04080776K	GOC97-1088	*NJ Natural Gas		7/18/97	Rt. 528 7 Brentwood Dr. Jackson	\$2,000	1/18/00	Did Not Properly Mark out			
GS04080777K	GOC97-1098	*NJ Natural Gas		7/22/97	Long Point & Churchill Dr., Toms River	\$1,000	3/7/00	Did Not Properly Mark out			
GS04080778K	GOC97-1118	*NJ Natural Gas		8/1/97	9 Chestnut Dr., Matawan	\$5,000	2/15/00	Did Not Properly Mark out			
GS04080779K	GOC97-1187	*NJ Natural Gas		9/19/97	85 Maple Dr., Colts Neck	\$5,000	2/15/00	Did Not Properly Mark out			
GS04080780K	GOC97-1540	*Public Service Electric & Gas		9/3/97	100 Whittingham Dr., Monroe	\$1,000	8/23/99	Did Not Properly Mark out			

\* Alleged Violator

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## One Call

BPU Docket No.	Docket No.	Operator	Excavator	Date	Location	Penalty	Payment Received	Type of Violation
GS04080781K	GOC97-1608	*Public Service Electric & Gas		7/17/97	12 Rt. 27, Franklin	\$1,000	7/15/99	Did Not Properly Mark out
GS04080782K	GOC97-1786	*NJ Natural Gas		11/19/97	75 Rt. 35 Middletown	\$1,000	3/29/00	Did Not Properly Mark out
GS04080783K	GOC97-2028	*Public Service Electric & Gas		12/2/97	14 Seminary Dr., Malwah	\$1,000	7/21/99	Did Not Properly Mark out
GS04080784K	GOC97-2121	*Public Service Electric & Gas		11/26/97	177 Beekman Rd., South Brunswick	\$1,000	7/21/99	Did Not Properly Mark out
GS04080785K	GOC97-2126	*Public Service Electric & Gas		12/8/97	1270 Englishtown Rd., Old Bridge	\$1,000	8/23/99	Did Not Properly Mark out
GS04080786K	GOC97-0663	*NJ Natural Gas		4/15/97	1911 6 <sup>th</sup> Avenue Neptune	\$1,000	10/22/99	Did Not Properly Mark out
GS04080787K	GOC97-0694	*NJ Natural Gas		5/5/97	Lakewood Rd, Wall Township	\$1,000	10/22/99	Did Not Properly Mark out
GS04080788K	GOC97-0713	*NJ Natural Gas		5/14/97	17 <sup>th</sup> Ave., & F. St., South Belmar	\$1,000	10/22/99	Did Not Properly Mark out
GS04080789K	GOC97-0714	*NJ Natural Gas		5/14/97	Main St., 17 <sup>th</sup> Ave., South Belmar	\$1,000	10/22/99	Did Not Properly Mark out
GS04080790K	GOC97-0730	*NJ Natural Gas		5/21/97	34 Wall St., W. Long Branch	\$1,000	10/22/99	Did Not Properly Mark out
GS04080791K	GOC97-0732	*NJ Natural Gas		5/21/97	1401 3 <sup>rd</sup> Ave., Asbury Park	\$1,000	10/22/99	Did Not Properly Mark out

\* Alleged Violator

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One Call		Operator	Excavator	Date	Location	Penalty	Payment Received	Type of Violation
BPU Docket No.	Docket No.							
GS04080792K	GOC97-0779	*NJ Natural Gas		6/18/97	22 East Delaware Ave., Beach Haven Terrace	\$1,000	10/22/99	Did Not Properly Mark out
GS04080793K	GOC97-1051	*NJ Natural Gas		4/8/97	1505 Forecastle Dr. Manahawkin	\$1,000	10/22/99	Did Not Properly Mark out
GS04080794K	GOC97-1057	*NJ Natural Gas		6/25/97	283 17 <sup>th</sup> Ave., Brick	\$1,000	10/22/99	Did Not Properly Mark out
GS04080795K	GOC97-1058	*NJ Natural Gas		7/1/97	Rt. 37 East Toms River	\$1,000	10/22/99	Did Not Properly Mark out
GS04080796K	GOC97-1076	*NJ Natural Gas		7/1/97	124 Parmley St., Rumson	\$1,000	10/22/99	Did Not Properly Mark out
GS04080797K	GOC97-1079	*NJ Natural Gas		7/14/97	101 Boundry Rd., Colts Neck	\$1,000	10/22/99	Did Not Properly Mark out
GS04080798K	GOC97-1081	*NJ Natural Gas		7/15/97	217 Dewitt Ave., Asbury Park	\$1,000	10/22/99	Did Not Properly Mark out
GS04080799K	GOC97-1087	*NJ Natural Gas		7/17/97	431 Patterson Ave., Middletown	\$1,000	10/22/99	Did Not Properly Mark out
GS04080800K	GOC97-1125	*NJ Natural Gas		8/9/97	710 Auth Ave., Oakhurst	\$1,000	10/22/99	Did Not Properly Mark out
GS04080801K	GOC97-1127	*NJ Natural Gas		8/11/97	1412 Lake Ave., Asbury Park	\$1,000	10/22/99	Did Not Properly Mark out
GS04080802K	GOC97-1176	*NJ Natural Gas		9/10/97	29 Judith Rd., Little Silver	\$1,000	10/22/99	Did Not Properly Mark out
GS04080803K	GOC97-1196	*NJ Natural Gas		9/25/97	204 Madison Ave., Spring Lake	\$1,000	10/22/99	Did Not Properly Mark out
GS04080804K	GOC97-1206	*NJ Natural Gas		9/29/97	11 W. 29 <sup>th</sup> St., Beach Haven Gardens	\$1,000	10/22/99	Did Not Properly Mark out

\* Alleged Violator

One Call		Operator		Excavator	Date	Location	Penalty	Payment Received	Type of Violation
BPU Docket No.	Docket No.								
GS04080805K	GOC97-1699	*NJ Natural Gas			10/2/97	102 Sussex Ave., Spring Lake	\$1,000	10/22/99	Did Not Properly Mark out
GS04080806K	GOC97-1721	*NJ Natural Gas			10/9/97	70 Ward Ave., Rumson	\$1,000	10/22/99	Did Not Properly Mark out
GS04080807K	GOC97-1740	*NJ Natural Gas			10/20/97	21 Crenshaw, Flanders	\$1,000	10/22/99	Did Not Properly Mark out
GS04080808K	GOC97-1778	*NJ Natural Gas			11/13/97	Albermarle Rd., Marlboro	\$1,000	10/22/99	Did Not Properly Mark out
GS04080809K	GOC97-1790	*NJ Natural Gas			11/21/97	205 Central Ave., Bradley Beach	\$1,000	10/22/99	Did Not Properly Mark out
GS04080810K	GOC97-1794	*NJ Natural Gas			11/24/97	50-51 West Raritan Dr., Mystic Islands	\$1,000	10/22/99	Did Not Properly Mark out
GS04080811K	GOC97-1805	*NJ Natural Gas			12/2/97	209-3 <sup>rd</sup> Ave., Bradley Beach	\$1,000	10/22/99	Did Not Properly Mark out
GS04080812K	GOC99-0339	*NJ Natural Gas			6/21/99	54 Broad St./Front St., Red Bank	\$2,000	10/22/99	Did Not Properly Mark out
GS04080813K	GOC99-0001	*Public Service Electric & Gas			1/29/99	New Hook Rd., Hwy. 169	\$1,000	4/9/99	Did Not Properly Mark out
GS04080814K	GOC99-0003	*NJ Natural Gas			2/19/99	Bayonne Heck Ave. & Rt. 35, Neptune	\$2,000	5/3/99	Did Not Properly Mark out
GS04080815K	GOC99-0005	*Public Service Electric & Gas			3/31/99	Ferry St. Camden	\$1,000	5/7/99	Did Not Properly Mark out
GS04080816K	GOC99-0006	Public Service Electric & Gas	*Gianbattista Construction		4/28/99	50 Beachmont Terrace North Caldwell	\$1,000	5/27/99	No Call
GS04080817K	GOC99-0397	*Elizabethown Gas			7/23/99	136 Westfield Ave., Elizabeth	\$1,000	10/16/99	Did Not Properly Mark out

\*Alleged Violator

One Call						Payment		Type of	
BPU Docket No.	Docket No.	Operator	Excavator	Date	Location	Penalty	Received	Violation	
GS04080818K	GOC99-0398	Public Service Electric & Gas	*Mt. Hope Rock Products	7/28/99	600 Wilson Ave., Wharton	\$1,000	10/24/99	Excavation Continued After 30 Business Days w/o New Notification	
GS04080819K	GOC99-0439	Public Service Electric & Gas	*J.C. Electrical Company	8/10/99	1629 Perrineville Rd., Monroe	\$1,000	9/1/99	No Call	
GS04080820K	GOC99-0440	*Public Service Electric & Gas		8/20/99	827 Franklin Ave. Franklin Lakes	\$2,000	9/15/99	Did Not Properly Mark out	
GS04080821K	GOC99-0804	*Public Service Electric & Gas		10/4/99	Churchman & Callahan, Newark	\$1,000	11/1/99	Did Not Properly Mark out	
GS04080822K	GOC99-0818	NJ Natural Gas	*Schiaivone Construction	10/5/99	Rt. 35, S. Red Bank	\$1,000	10/21/99	Failure to Hand Dig & Locate	
GS04080823K	GOC99-0819	*Public Service Electric & Gas		10/27/99	Mcwhorter & Hamilton, Newark	\$1,000	11/23/99	Did Not Properly Mark out	
GS04080824K	GOC99-0889	Public Service Electric & Gas	*Jentec Contracting	12/21/99	565 Rt. 28, Bridgewater	\$1,000	2/8/00	No Call	
GS04080825K	GOC00-0003	*Public Service Electric & Gas		2/2/00	1600 Rt. 130 North Brunswick	\$2,000	4/10/00	Did Not Properly Mark out	
GS04080826K	GOC00-0006	Public Service Electric & Gas	*Jersey Boring & Drilling	3/7/00	8 <sup>th</sup> Ave., & Spring St. Newark	\$5,000	4/22/00	No Call	
GS04080827K	GOC00-0007	Public Service Electric & Gas	*J.A.F./John Fusco	2/9/00	Foundary Ave., & Raymond Blvd. Newark	\$1,000	11/15/00	No Call	
GS04080828K	GOC00-0005	*South Jersey Gas		2/24/00	Pellham Ave., North of Atlantic Ave. Longport	\$2,000	4/13/00	Did Not Properly Mark out	

\* Alleged Violator

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One Call		Operator	Excavator	Date	Location	Penalty	Payment		Type of Violation
BPU Docket No.	Docket No.						Received		
GS04080829K	GOC00-0009	NJ Natural Gas	*Recchia Contracting	3/16/00	137 East Central Ave., Whartonq	\$2,000	4/19/00		No Call
GS04080830K	GOC00-0010	*Elizabethtown Gas		3/30/00	Smith St./Conery Blvd.	\$4,000	5/3/00		Did Not Properly Mark out
GS04080831K	GOC00-0011	Elizabethtown Gas	*Horvath Excavating	4/6/00	Woodbridge 500 Point Breeze Rd., Kingswood	\$2,500	5/19/00		No Call
GS04080832K	GOC00-0012	Public Service Electric & Gas	*Anselmi & De Cicco, Inc.	4/15/00	Terminal C/Newark Airport, Newark	\$25,000	5/19/00		No Call
GS04080833K	GOC00-0013	Elizabethtown Gas	*Flemington Borough Water Dept.	5/4/00	105 Mine St./Dewey, Flemington	\$1,000	6/29/00		Failure to Hand Dig & Located
GS04080834K	GOC00-0035	Public Service Electric & Gas	*Mt. Hope Rock Products	7/28/00	Brewster Rd. Newark	\$2,000	1/10/01		No Call
GS04080835K	GOC00-0053	*Public Service Electric & Gas		10/11/00	324 Delawanna Ave., Clifton	\$1,000	11/28/00		Did Not Properly Mark Out
GS04080836K	GOC00-0055	Public Service Electric & Gas	*Active Environmental Technologies	10/24/00	561 Penigno Blvd., Bellmawr	\$2,000	11/17/00		Did Not Properly Mark Out
GS04080837K	GOC00-0056	Public Service Electric & Gas	*Lucas Brothers Inc.	10/20/00	122 Jamesburg half Acre Rd., Monroe	\$1,000	12/12/00		No Call
GS04080838K	GOC00-0050	*Public Service Electric & Gas		9/21/00	1540 New Durham Rd., South Plainfield	\$2,500	3/23/01		Did Not Properly Mark Out
GS04080839K	GOC96-0615	*NJ Natural Gas		5/2/96	81 Morris Ave., Mountain Lakes	\$1,000	6/11/98		Did Not Properly Mark Out
GS04080840K	GOC96-0636	*NJ Natural Gas		5/14/96	820 Rt. 520, Lincroft	\$1,000	6/11/98		Did Not Properly Mark Out

\* Alleged Violator

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One Call BPU Docket No.		Docket No.	Operator	Excavator	Date	Location	Penalty	Payment Received	Type of Violation
GS04080841K		GOC00-0063	NJ Natural Gas	*East Coast Engineering	11/4/00	208 Veronica Ct. Lanoka Harbor	\$1,000	12/7/00	No Call
GS04080842K		GOC00-0065	NJ Natural Gas	*Custom Stone & Landscaping Design	11/14/00	224 Nautilus Dr., Manahawkin	\$1,000	4/6/01	No Call
GS04080843K		GOC00-0067		*J.T. Matthew Mechanical Corp.	11/21/00	350 Morris Ave., Denville	\$1,000	1/12/01	No Call
GS04080844K		GOC00-0068	Public Service Electric & Gas	*Caruso Excavating	11/28/00	Cedar Brook Dr. 500 W. of Clark Dr. Cranbury	\$1,000	12/21/00	Excavated Outside of Scope
GS04080845K		GOC00-0069	*Public Service Electric & Gas		12/1/00	431 Mallard Ln. Moorestown	\$1,000	1/29/01	Did Not Properly Mark Out
GS04080846K		GOC00-0070	NJ Natural Gas	*Landscape Maintenance Services	12/7/00	707 Blue Bell Dr. Jackson	\$1,000	1/19/01	No Call
GS04080847K		GOC00-0178	NJ Natural Gas	*R. Scott Excavating	4/6/00	155 Conover Rd., Wickatunk	\$2,000	6/7/01	No Call
GS04080848K		GOC01-0002	NJ Natural Gas	*Steve's Electric Inc.	1/11/01	13515 32 <sup>nd</sup> St. & L.B. Blvd, Beach Haven	\$1,000	3/2/01	No Call
GS04080849K		GOC01-0033	NJ Natural Gas	*Jayeff General Contractors	5/3/01	2310 Rt. 34, Wall	\$1,000	5/31/00	No Call
GS04080850K		GOC01-0004	NJ Natural Gas	*Jack Dellavalle	1/19/01	1090 Long Beach Blvd. Beach Haven	\$1,000	2/27/01	No Call
GS04080851K		GOC01-0007	NJ Natural Gas	*B. Anthony Construction Corp.	2/12/01	Brielle Hills & Rt. 70, Wall Twp.	\$1,000	4/3/01	Early Excavation Less than 3 business Days

\* Alleged Violator

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One Call BPU Docket No.		Docket No.	Operator	Excavator	Date	Location	Penalty	Payment Received	Type of Violation
GS04080852K		GOC01-0009	Public Service Electric & Gas	*Howard Klien Contracting	2/15/01	Clinton Ave., Allen Young Apts., Plainfield	\$1,000	3/21/01	Early Excavation Less than 3 Business Days
GS04080853K		GOC01-0010	NJ Natural Gas	*Complete Lawn & Landscape	2/14/01	5 Halsey Ave., Bayville	\$1,000	5/17/01	No Call
GS04080854K		GOC01-0011	Public Service Electric & Gas	*Tewksbury Township	10/30/00	165 Old Turnpike Rd., Tewksbury	\$1,000	3/16/01	No Call
GS04080855K		GOC01-0012	NJ Natural Gas	*Nicholas Tarquinio Construction	2/28/01	68 Cox Cro Rd., Toms River	\$1,000	3/20/01	No Call
GS04080856K		GOC-0013	*Elizabethtown Gas		2/27/01	77 Rt. 1, Woodbridge	\$3,000	4/5/01	Did Not Properly Mark Out
GS04080857K		GOC01-0014	NJ Natural Gas	*George Underhill	3/12/01	Smith Rd., & Jefferson Rd., Parsippany	\$2,000	4/6/01	No Call
GS04080858K		GOC01-0015	NJ Natural Gas	*Barth Electric Contractors	3/12/01	314 Woodland Ave., Brielle	\$1,000	3/27/01	No Call
GS04080859K		GOC01-0016	*Public Service Electric & Gas		3/3/01	Rt. 9 N. & Michael Maleta Way, Old Bridge	\$2,500	4/24/01	Did Not Properly Mark Out
GS04080860K		GOC01-0051	*Public Service Electric & Gas		9/29/00	537 New Durham Rd., South Plainfield	\$2,500	3/28/01	Did Not Properly Mark Out
GS04080861K		GOC01-0057	Public Service Electric & Gas	*J. Fletcher Creamer & Son, Inc.	10/6/00	Rt. 4, Paramus	\$2,000	11/20/00	No Call

\* Alleged Violator